

Division of Alcohol & Tobacco Control



NEWSLETTER



30th Edition - April 2007

UPCOMING EVENTS

NLLEA Training 2007

June 3 - 8, Chester, WV

Sherry Van Da Griff, Vanessa Mure and Nancy McGee will attend training designed to improve the specialized knowledge and professional skills of officers for effective and efficient administration and enforcement of state and provincial alcohol beverage laws.

NCSLA Conference 2007

June 3-7, Seattle, WA

Pete Lobdell will attend the annual NCSLA conference and meet with other State Liquor Administrators to discuss state direct shipping issues, trade practice issues and other alcohol beverage problems and solutions similar across the nation.

Wholesaler Workshops

Coming to Cape Girardeau in late August 2007. New legislation will be the training topic with question and answer sessions to follow.

**TO SCHEDULE SERVER TRAINING CLASS
PLEASE CALL THE DISTRICT OFFICE:**

DISTRICT I - KANSAS CITY - (816)889-2574

DISTRICT II - JEFFERSON CITY - (573)751-2964

DISTRICT III - ST. LOUIS - (314)340-6835

CENTRAL OFFICE (573)751-2333

Ozark County Gambling Operation Shutdown

By Special Agent Mark Schaberg

Special Agents Nick Huckstep and Dale Reynolds, along with representatives from the Ozark County Sheriff's Office and the Missouri Highway Patrol, conducted an investigation of a bar in Ozark County, Missouri. Reynolds received complaints this location was holding illegal Texas Hold 'em tournaments on Saturday nights and that they were violating liquor laws by purchasing intoxicating liquor from retailers in Arkansas and reselling the liquor on their Missouri premises. State law requires retailers to purchase intoxicating liquor from Missouri licensed wholesalers only.

On February 24, 2007, Special Agent Huckstep entered the premise and conducted himself as a patron. The managing officer of the premise asked if any patrons wished to play Texas Hold 'em. He announced that buy in to the tournament would cost \$50 and the first place winner would receive \$150, second place winner got \$100, and third place winner received \$50. The manager made a point to announce that 'zero was going to charity'.

Special Agent Huckstep and five other players paid the bartender to play and received poker chips. All participants sat down at a large table. After several rounds of play, Special Agent Huckstep was eliminated from the

(Story Continued on Page 3)





Supervisor's Corner

Peter W. Ibbell



Bill 644 sponsored by Senator Griesheimer, and House Bill 944 sponsored by Representative Cooper should pass. This would resolve a large portion of the pending lawsuit against the Division. Trade Practices legislation should also be passed and this will make us current with modern marketing practices and provide legal avenues for manufacturers and wholesalers to participate in special events, festivals, etc.

The warmer Spring season brings with it the Alcohol License Renewal period. Please remember that Missouri law requires that all license renewals must be submitted prior to May 1st. Licensing Unit Supervisor Diane Markway informs me that the licensing process is moving smoothly with the help of two part-time assistants.

The Violence Task Force will begin meeting in the first week in May in St. Louis followed by later meetings with representatives in Kansas City. This select group of law enforcement officials, regulators and attorneys will review 3:00 a.m. licenses to see if they contribute increased criminality/violence as compared to 1:30 a.m. closing licensees. This Task Force will also review problem licensees that have an extensive track record for acts of violence. We will consider prevention strategies and tactics and the appropriate corrective/disciplinary action.

The Legislative session officially ends on May 18, 2007. The Division is disappointed that our Peace Officer legislation initiative has died in the House for the second consecutive year. There was no official opposition that testified against this bill. House Bill 695 was sponsored by Representative Mark Bruns. The bill was attached to the House Omnibus Crime bill 726, but removed by vote of the committee that same day. I would like to thank the public Safety Department, the Sheriff's Association, the Police Chief's Association and sponsor Representative Bruns for their support. Some form of the failed legislation needs to be passed as soon as possible to more adequately protect Division Agents. Planning has already begun for a two pronged effort for the 2008 session with two separate bills with specifically distinct provisions.

Several alcohol industry bills are moving through the legislature with good chances of passage this session. The Direct Wine Shipping legislation, Senate

We are in the midst of the high school prom and graduation season. This can be a dangerous time for our youth who are tempted to celebrate the occasion by illegally possessing/consuming alcohol products. Licensees, please be especially vigilant during this time period and check ID's very thoroughly. Parents, please supervise and make inquiries related to "after parties" to make sure alcohol is not available. "Parents who host, lose the most". This is a Class B misdemeanor with a penalty of up to a \$500 fine or 180 days in jail for adult providers. Our youth are the future of this great state; let's help them become productive adults.

"New" Performance Appraisal System Coming Soon

The Division of Personnel and the Information Technology Services Division have been working together on a new performance appraisal system which will be used in evaluating the performance of all employees.

The system which has been named PERForm, will require that each employee be given a performance appraisal between January 1 and March 31 on an annual basis. The system is designed to reward employees for exceptional performance with a salary advancement. However, details on the implementation of that portion have not been worked out yet. The PERForm system is currently undergoing testing, but the Division of Personnel hopes the system will be up and running by July 1, 2007. Management personnel will be very involved in the implementation of this program, and should go to the OA website and review the PERForm guidelines. www.perform.mo.gov. Contact Beth Stokes for additional information.

In Other News - District I

In other news, District I Agents worked the St. Patrick's Day parade in February. The parade is a yearly event in Kansas City that attracts around 200,000 spectators and travels down Grand Avenue in downtown Kansas City. The good news is arrests were lower this year than in any of the previous years due to Agents continual presence, and enforcement of the city's open container ban.



Parade goes at the St. Pats Day Parade - KC

Ozark Gambling

(Continued from front page)

game. He sat down at the bar to chat with the bar owner who told him that his place was "a gambling casino that served food and drink for the convenience of the customers".

Special Agent Huckstep contacted Special Agent Reynolds who was waiting nearby with Ozark County Sheriff Raymond Pace and Missouri State Highway Patrolman Keith Jones. Once notified of the violation, law enforcement officers entered the premises. Special Agent Reynolds approached the table, notified the remaining players and the managing officer that what they were doing was in violation of Missouri liquor laws and seized the money that was used as a 'buy in'.

The ATC Special Agents then approached the manager/owner and inquired about liquor that was alleged to have been purchased in Arkansas and resold on the licensed premises. The manager/owner admitted to the illegal purchases and produced invoices documenting the purchases. ATC Special Agents seized the liquor that was purchased illegally. The manager/owner will be required to appear before the State Supervisor for an administrative disciplinary hearing regarding these violations of Missouri Liquor Control Laws.

Take Advantage of Division Training

What do you think of when you hear the term pub crawl? Wikipedia describes a pub crawl as "the act of a group of people drinking in a number of pubs in a single night, normally walking between them." It seems that everyone knows about pub crawls, but the context of the term varies depending on who you ask.

For you, the term may bring back fond memories of college days gone by or maybe it triggers a thought of uncontrollable drunken chaos. Although everyone doesn't need to agree on exactly what a pub crawl means we can agree that pub crawls present retailers and law enforcement with unique challenges.

The Missouri Division of Alcohol and Tobacco Control's stance on pub crawls is a proactive one. The Division is charged with combating illegal underage drinking and promoting responsible alcohol consumption. To ensure this takes place the Division will conduct training to teach retailers how to detect fake identification and prevent over consumption. Open communication between event coordinators, ATC agents, and law enforcement is essential to promote safety, prevent violations of the law, and to protect public welfare.

If you are planning an event and need more information about training opportunities in your area please contact your local agent or ATC Central Office at 573-751-2333.

DPS 11TH ANNUAL TRIVIA NIGHT

DPS hosted the 11th annual trivia night on Friday, March 30, 2007 to benefit Law Enforcement Torch Run for Special Olympics in Missouri. Thanks to all who attended, supported, and/or participated! There were thirty-three teams that participated this year, which was nine more than last year. We raised \$4,600 this year, \$1,000 more than was raised last year. Kudo's to DPS. Steve Shimmens got a team of brainiacs together for the event.

Mark you calendars for next year --Friday, March 28, 2008.

mardi gras 2007



MARDI GRAS 2007 in Soulard was heralded in this year by blowing snow and wind chills in the teens, however the weather appeared to have little effect on the party spirit of thousands who attended the historic Soulard neighborhood.



Agents from the Central Office arrived in St. Louis to augment the overall law enforcement detail for the Soulard Mardi Gras Parade on Saturday, February 17, 2007. Prior to the event, Special Agent Nancy McGee provided server training for the Soulard Mardi Gras and two St. Patrick's Day parades held in St. Louis. This marked the first time the Division used liquor compliance checks, in addition to other law enforcement efforts, during a large festival event. Unfortunately, on Saturday, District III Agents had eleven establishments fail out of twenty-five liquor compliance checks conducted at Mardi Gras, resulting in twelve summonses issued to the clerks. Violation reports were prepared against the establishments that failed.

LET'S ALL GO TO THE BALLPARK

In anticipation of the beginning of baseball season, Special Agents Kevin Klupe and Myles McDonnell were requested by St. Louis Sportservice and the St. Louis Baseball Cardinal Organization to train several hundred employees during March and April. There is a concerted effort to train in the area of preventing the sale of alcohol to intoxicated people as well as reducing the incidence of underage drinking.

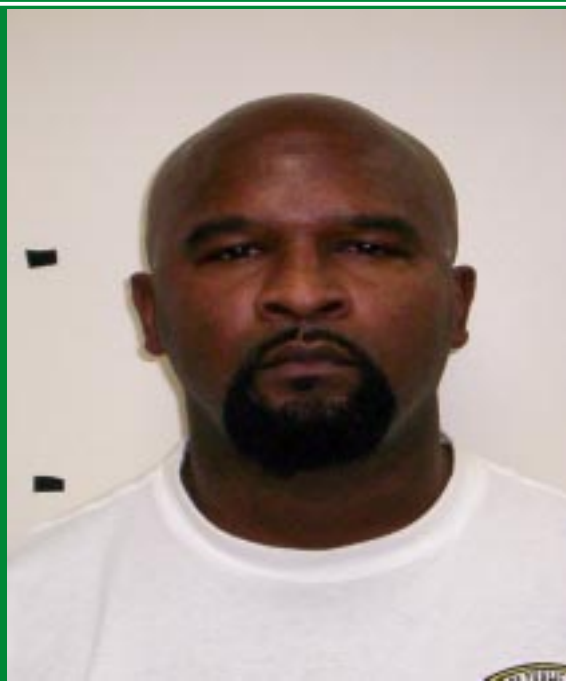


Consumption by minors in all of the aforementioned venues is down. Although external factors such as weather, ticket prices, etc. may have some limited impact, it is generally recognized that the combined efforts of this Division and the Industry is the largest predictor of success in this area.

In Kansas City, Central Office Agents and District I Agents worked the Royals home opener in April between the Royals and the Boston Red Sox in front of a sell out crowd of 41,000 people. Agents patrolled the parking lot before the game and inside the stadium after the game began. There were thirty-three people arrested during this event. Most of the arrests were for minor in possession of intoxicating liquor.

Agents Target Unlicensed Premises - Find Murder Weapon

Special Agents Grayland Nowden and Lamont Mitchell were commended for their excellent work during a cooperative investigation with the Jennings, Mo. Police Department and Agents of the U.S. Bureau of Alcohol Tobacco and Firearms. The operation targeted at unlicensed premises in the City of Jennings that provided a fertile environment for a myriad of illegal activities. Four guns were recovered and several arrests were made, with the most significant being a Convicted Felon in Possession of a Firearm – a firearm that was later determined through ballistics to be the murder weapon used in a Homicide in the City of St. Louis in 2005. Congratulations to these men on this fine work marked by their thoroughness and professionalism.



One of the first Agents in District III to be certified in Standardized Field Sobriety Training is Special Agent Lamont Mitchell. Lamont successfully completed the course of instruction at the St. Louis County and Municipal Police Academy during January and February of 2007.

Quarterly Tax Collections

TAX COLLECTED FOR THE MONTH OF MARCH 2007

Liquor Tax	\$1,303,801.04
Wine 30 Cent Tax	280,727.10
Wine 6 Cent Tax	56,166.29
Wine 6 Cent Tax - Research & Dev.	56,166.23
5% Beer Tax	635,850.52
3.2% Beer Tax	1,503.83
Grand Total	\$2,334,215.01

TAX COLLECTED FOR THE MONTH OF FEBRUARY 2007

Liquor Tax	\$1,168,731.85
Wine 30 Cent Tax	223,284.84
Wine 6 Cent Tax	44,674.02
Wine 6 Cent Tax-Research & Dev.	44,673.97
5% Beer Tax	633,649.97
3.2% Beer Tax	2,092.64
Grand Total	\$2,117,107.29

TAX COLLECTED FOR THE MONTH OF JANUARY 2007

Liquor Tax	\$1,170,554.64
Wine 30 Cent Tax	228,544.09
Wine 6 Cent Tax	45,633.48
Wine 6 Cent Tax-Research & Dev.	45,633.42
5% Beer Tax	544,683.41
3.2% Beer Tax	1,837.93
Grand Total	\$2,036,886.97

Did you know?

In a survey of teen drinkers, **65 percent** said they got alcohol from family members or friends.

FROM THE SMOKE SHOP

by Vanessa Mure

The Division has identified over 7,500 vendors of tobacco products in the state of Missouri. In order to verify tobacco vendors, the Division used lists compiled by the Division of Alcohol and Drug Abuse and the Department of Revenue. However, these lists are incomplete as vendors are not required to register as sellers of tobacco products. Vanessa Mure, Tobacco Program Manager, has been traveling across the state in an effort to compile a current and accurate list of businesses who sell tobacco products.

Vanessa has inspected retailers in Greene, Christian, Ozark and Taney counties. She has traveled to North St. Louis County and North St. Louis City stopping at stores throughout to verify if they are selling tobacco products. In these inspections, Vanessa has found that retailers are not educated on when to check ID's. She has been reminding retailers during her visits that a proof of age must be provided for purchasers under eighteen, and when in doubt, ask for the ID to verify age.

Personal visits to identify tobacco vendors throughout the State will continue with the Northwest corner of the state scheduled for the month of May. Retailers selling tobacco should also be reminded that tobacco compliance checks are being conducted throughout the State by Agents. If you have a need for tobacco compliance training to provide employees with information on the state and federal regulations regarding tobacco sale to minors, please contact Vanessa Mure at vanessa.mure@dps.mo.gov or at 573-751-2333 for information on training programs available through the Division.

INFORMAL HEARING/ CONFERENCE RESULTS JANUARY - MARCH 2007

161 Total Hearings - District I
161 total orders issued - District I

86 total hearings - District II
86 total orders issued - District II

137 total hearings for District III
137 total orders issued for District III

384 total hearings for all districts
384 total orders issued - all districts

ATC issued 3 revocations and all three of those licenses appealed the revocation to the Administrative Hearing Commission and are still currently on appeal. In February, one disciplinary hearing was conducted resulting in a revocation.



The \$18,000 refund account has been restored within the budget allowing the Division to begin refunding unused licenses again for FY'2008.

License Renewals Mailed

The Division annually renews all liquor licenses; a large feat that begins in March of each year. The licensing section mailed 20,803 annual renewals in March. As of April 4, 2007, the Division had received and renewed 1,425 licenses and collected \$238,815.27 in license renewal fees.

License renewals are due back to the Division by May 1st. Renewal applications that are filed after May 1st are subject to disciplinary action by the Supervisor of Alcohol and Tobacco Control.

Tobacco's Toll in Missouri

High school students who smoke - **21.3%**

Kids (under 18) who become new daily smokers each year - **8,900**

Kids now under 18 and alive in Missouri who will ultimately die prematurely from smoking - **140,000**

Adults in Missouri who smoke - **23.4%**

Adults who die each year from their own smoking - **9,800**

Annual health care costs in Missouri directly caused by smoking - **\$2.13 billion**

Alcohol Compliance Buy Program

Server Training

No. of Programs/No. of People Trained

January 2007	8 / 162
February 2007	10 / 368
March 2007	20 / 990
Total	38 / 1,520

Compliance Checks

January 2007

Establishments Checked	107
Establishments Compliant	70
Establishments Noncompliant	37
Percentage Noncompliant	35%

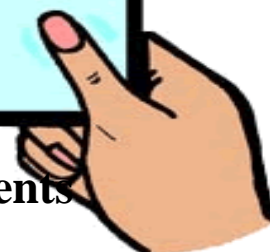
February 2007

Establishments Checked	55
Establishments Compliant	31
Establishments Noncompliant	24
Percentage Noncompliant	44%

March 2007

Establishments Checked	63
Establishments Compliant	26
Establishments Noncompliant	37
Percentage Noncompliant	59%

**"PARENTS
WHO HOST,
LOSE THE
MOST"**



Suggestions for Parents

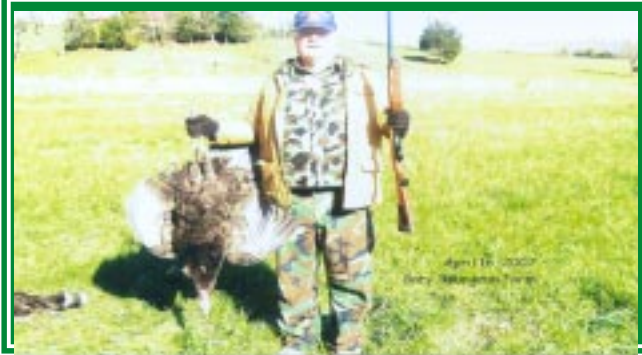
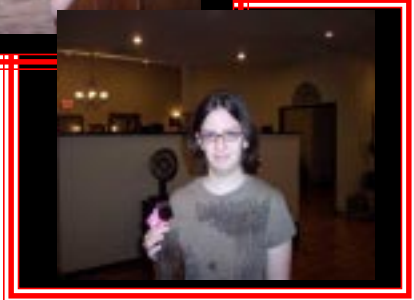
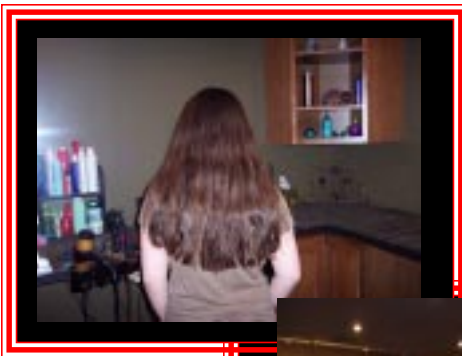
If your teen is giving a party

- Help your teenager plan the party. Make a guest list and invite only a specific number of people.
- Have your child pass out or send invitations and try to avoid the "open party" situation.
- Don't send e-mail invitations. They can be forwarded to a large number of people quickly and you lose control of who has this information.
- Put your phone number on the invitation and welcome calls from parents.
- Set rules ahead of time such as no alcohol, drugs or tobacco. Set a start and end time for the party.
- Let attendees know that if they leave, they can't come back.
- Have plenty of food and non-alcoholic beverages.
- Plan some activities such as music, games, movies, etc.
- Let your neighbors know in advance there will be a party and that you will be there to supervise. Familiarize yourself with the noise ordinance in your area.
- Limit the party access to a certain area of the house/property.
- Have a plan for dealing with vehicles. Include parking information on your party invitation.
- Call parents of any teen who arrives in possession of alcohol or under the influence. If you can't get in touch with the parents, keep the teen there or call the police if necessary. You can be civilly liable if you know they have been drinking and you let them leave.
- Secure all forms of alcohol, firearms and other potentially hazardous items in your home in a safe place.
- Make regular and unobtrusive visits to the party area with sensitivity to teens' needs for privacy and independence.



tell us your stories!!

Katie Boehm, daughter of Renee Boehm, in the Central office, donated a 12 in length of her hair to **LOCKS OF LOVE**, an organization that provides hair prosthetics for disadvantaged children with permanent hair loss from alopecia areata, radiation treatments, or burns. Their website is: www.locksoflove.org. We commend her generosity.



State Supervisor Pete Lobdell bagged this turkey hunting on the Spurgeon Farm outside of Owensville, Mo. on April 16, 2007.



In March 2007, The CDFY (Council for Drug Free Youth) recognized Keith Hendrickson as an outstanding law enforcement officer for his efforts to curb drug abuse. We applaud Keith on this honor.



Special Agent Roland Fogt was recently awarded a scholarship by the International Police Association. He will be representing the Division at that association's International Conference at Castle Grinborn in west central Germany during November of 2007 – more on this later.



Karen Gaut of Central Office became a first time Grandma!! Yep, a Grandma. Hailey Rennae was born April 12, 2007 weighing in at 7 lbs and 8 oz. and 21 inches long.



***** *DIVISION UPDATES* *****

WELCOME



The Division would like to welcome Amanda Koetting to the Division. She began working with the Division on February 22nd, as Senior Office Support Assistant. Amanda was previously employed with the Secretary of State's Office, Wolfner Library for 3-1/2 years.

Klupe Employee of the Month

At the recommendation of State Supervisor Pete Lobdell, Special Agent Kevin Klupe was recognized on March 13, 2007 as Department of Public Safety's Employee of the month.



The award was conferred upon him by Department of Public Safety Director Mark James at a ceremony in Jefferson City.

Kevin was honored for his development of a partnership among the Division, St. Louis Sportservice, St. Louis Baseball Cardinals Organization and the St. Louis Circuit Attorney's Office to discourage and prevent underage drinking in the area's largest sporting venues. He was additionally recognized for his community service to the elderly in the St. Louis area.



Among those in attendance were Kevin's wife Michelle, District III Supervisor Rick Weiser, Special Agent Myles McDonnell and St. Louis Police Sergeant John McLaughlin.

GOOD LUCK!

We would like to say goodbye and good luck to **Ryan Rowland**. Ryan served briefly as an Agent in District III (September 2006 to

January of 2007) before joining the St. Louis Police Department where he serves as a patrol officer on the City's North side. Best wishes to Ryan and his family.

Matt Blunt, Governor
Mark James, Director Department of Public Safety
Peter W. Lobdell, State Supervisor
Michael Schler, Deputy State Supervisor
Steve Shimmens, Chief of Enforcement
Karen Gaut, Administrative Manager/Editor
Lois Alexander, Publisher
Jefferson City Office 573-751-2333
Central/District II Office 573-751-2964
Kansas City Office 816-889-2574
St. Louis Office 314-340-6835